

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

OHIO CASUALTY INSURANCE )  
COMPANY, a corporation, )  
Plaintiff, )  
v. ) Case No: 4:05-cv-00744 JCH  
)  
EAST CENTRAL COLLEGE, A Missouri )  
college district )  
)  
GRIFFITH DEVELOPMENT COMPANY, )  
a corporation, )  
)  
UNNERSTALL CONTRACTING CO, LTD) )  
a limited liability company )  
)  
MACKEY MITCHELL ASSOCIATES, )  
LLC, f/k/a, MACKEY MITCHELL )  
ASSOCIATES, a limited liability company )  
)  
SCI ENGINEERING, INC. d/b/a )  
SCI ENGINEERING & MATERIALS )  
TESTING, INC., a corporation )  
)  
GEOTEST, INC. f/k/a BRUCKER )  
ENGINEERING and TESTING, INC., )  
a Corporation, )  
)  
JAMES L. GRIFFITH, an Individual, )  
ETSUKO U. GRIFFITH, an Individual, )  
CARL M. GRIFFITH, an Individual and )  
GARRA A. GRIFFITH, an Individual )  
)  
Defendants. )

**ORDER**

The Court being advised in the premises, pursuant to the stipulation for dismissal previously filed by all parties, all claims asserted in this case are dismissed under the following terms and conditions:

1. All claims of Ohio Casualty Insurance Company against Griffith Development Company, James L. Griffith, Etsuko U. Griffith, Carl M. Griffith and Garra A. Griffith are dismissed, **without prejudice**.
2. All claims of Ohio Casualty Insurance Company against East Central College, Unnerstall Contracting Company, LTD, Mackey Mitchell Associates, P.C. a/k/a Mackey Mitchell Associates, LLC, SCI Engineering Company, Inc. and Geotest, Inc. f/k/a Brucker Engineering and Testing, Inc. are dismissed **with prejudice**.
3. All claims of East Central College against Ohio Casualty Insurance Company, Unnerstall Contracting, LTD, Mackey Mitchell Associates, P.C. a/k/a Mackey Mitchell Associates, LLC, SCI Engineering, Inc., Geotest, Inc. f/k/a Brucker Engineering and Testing, Inc. and Griffith Development Company are dismissed **with prejudice**.
4. All claims of Griffith Development Company, Etsuko U. Griffith, Carl M. Griffith and Garra Griffith against Unnerstall Contracting Company, LTD, Mackey Mitchell Associates, P.C. a/k/a Mackey Mitchell Associates, LLC, SCI Engineering, Inc. and Geotest, Inc. f/k/a Brucker Engineering and Testing, Inc. are dismissed **with prejudice**.
5. All claims asserted by Unnerstall Contracting Company, LTD, Mackey Mitchell Associates, P.C. a/k/a Mackey Mitchell Associates, LLC, SCI Engineering, Inc. and Geotest, Inc. f/k/a Brucker Engineering and Testing, Inc. against any other party, and among themselves, are dismissed **with prejudice**.
6. Each party is to bear their court costs.

So Ordered this 9<sup>th</sup> day of November, 2006.

  
John C. Hamilton  
JUDGE